

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION OF)
THE RETAIL ENERGY SUPPLY)
ASSOCIATION (RESA) TO IMPLEMENT A) PSC DOCKET NO. 16-0112
PURCHASE OF RECEIVABLES PROGRAM IN)
DELAWARE)
(FILED JANUARY 21, 2016))

ORDER NO. 8856

AND NOW, this 23rd day of February, 2016, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on January 21, 2016, the Retail Energy Supply Association ("RESA") filed a Petition asking the Commission to order Delmarva Power and Light Company ("DPL") to implement a Purchase of Receivables ("POR") program; and

WHEREAS, on February 18, 2016, Commission Staff filed a Motion requesting that the Commission deny the Petition of RESA, with a proposed form of order, and close this docket; and

WHEREAS, the Commission has reviewed the Petition filed by RESA and the Motion filed by Staff; and

WHEREAS, on January 19, 2016, the Commission adopted Order No. 8845, opening Docket No. 15-1693 to consider eight recommendations of the Electricity Affordability Committee ("EAC"), including the adoption of a POR "approach for third-party suppliers whereby [DPL] purchases the receivables at a discounted price that includes the administrative cost of the program and whereby [DPL] assumes supplier bill collection

responsibility.” Order No. 8845 appointed a Hearing Examiner and directed that Hearing Examiner to schedule, properly notice, and conduct public comment sessions and evidentiary hearings; to develop a complete factual record regarding whether the eight EAC recommendations, including POR, are appropriate for implementation in Delaware; and to file his findings and recommendations with the Commission. Furthermore, the Docket No. 15-1693 proceedings have already begun, with the Commission Staff publishing notice, as required by Order No. 8845 in the News Journal and the Delaware State News on February 5, 2016; and

WHEREAS, RESA will have ample opportunity to present its position on POR and receive due consideration during the evidentiary hearings and public comment opportunities in Docket No. 15-1693. Interested parties, such as RESA, may request leave to intervene in Docket No. 15-1693 until March 20, 2016, and interested persons may file comments in Docket No. 15-1693 until March 30, 2016; and

WHEREAS, the Commission has broad authority to consolidate - or decline to consider separately - similar issues in the interest of administrative efficiency. The issue raised by RESA in its Petition are identical to those that will receive due consideration in Docket No. 15-1693. RESA will have sufficient opportunity to present its position in that proceeding. Granting RESA’s Petition to consider POR in a separate docket would be entirely duplicative and an inefficient use of the valuable resources of the Commission, its Staff, and the multiple other

parties involved. It is entirely within the Commission's broad discretion as an administrative agency to - in effect - consolidate RESA's Petition with Docket No. 15-1693 by denying RESA's Petition and encouraging RESA to participate in Docket No. 15-1693; and

WHEREAS, RESA has provided no specific justification in its Petition for expedited and separate consideration of the POR issue outside of Docket No. 15-1693. Implementation of POR involves complex issues among many stakeholders, and all of these issues deserve full and careful consideration, alongside the other recommendations impacting consumer choice in Docket No. 15-1693. As such, it is unnecessary to parse out the POR issues from Docket No. 15-1693. POR is most appropriately considered along with the other recommendations impacting consumer choice in Docket No. 15-1693; and

WHEREAS, the Commission finds that the relief requested by RESA is unwarranted and would result in an unnecessary and inefficient duplication of the process already underway in Docket No. 15-1693, in which RESA may fully participate, and that the relief requested by Staff is appropriate;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. The relief requested by RESA in its Petition is denied. RESA is encouraged to participate to the extent it deems appropriate in Docket No. 15-1693 regarding its recommendations for the implementation of POR in Delaware.

PSC Complaint Docket No. 16-0112, Order No. 8856 Cont'd

2. The relief requested by Staff is granted, and this docket shall be closed forthwith.

3. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary